

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROSA OLIBARES and ADAM RUSSELL, <i>on</i>	:	
<i>behalf of themselves, FLSA Collective</i>	:	
<i>Plaintiffs, and the Class,</i>	:	
	:	21-CV-10694 (VSB)
Plaintiffs,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
MK CUISINE GLOBAL LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

For the reasons stated on the record during the show cause hearing on February 22, 2024,
it is hereby

ORDERED that Mr. Robert Ontell shall file by March 14, 2024 an affidavit listing the parties whom he formally represented in this case. In his affidavit, Mr. Ontell shall aver to (1) his retention in this matter, including the date(s) of his retention, and (2) the source of his authority to enter into a settlement agreement on behalf of each party. Additionally, Mr. Ontell shall submit *ex parte* and under seal a copy of all (1) retainer agreements governing his representation, (2) client communications relating to the mediation and settlement agreement, and (3) billing records relating his work, including records related to the mediation and reflecting work done in connection with the settlement. Although I indicated that these materials would be made available to defense counsel, since it became clear during the hearing that certain of the defendants may ultimately challenge Mr. Ontell’s authority to represent them as counsel,

including in connection with the mediation and settlement, the materials provided by Mr. Ontell should be submitted *ex parte* for my review.

IT IS FURTHER ORDERED that the parties shall submit a joint status letter proposing next steps in this action by March 28, 2024. In addition to the issues discussed on the record, the letter should set forth the parties' position on how to proceed in light of Defendant Khalil Saliba's failure to respond to the complaint, (Doc. 47), and Belga Corp.'s lack of representation, *see Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983) (holding that corporations cannot proceed pro se in federal court). To the extent the parties disagree on one or more issues, the parties should set forth their respective positions as to each disputed issue in separately designated sections of the joint letter.

IT IS FURTHER ORDERED that counsel for all parties appear telephonically for a status conference scheduled on April 11, 2024 at 2:00 p.m. The call-in number for the conference line is 888-363-4749 and the access code is 2682448.

Ms. Brennan is directed to serve a copy of this Order on Mr. Ontell and to file proof of service on the docket by February 28, 2024.

SO ORDERED.

Dated: February 22, 2024
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, slightly stylized font. The first letter "V" is large and prominent, and the last letter "k" has a long, sweeping tail.

Vernon S. Broderick
United States District Judge